REMARKS

The above amendments and following remarks are submitted in response to the official action of the Examiner mailed July 8, 2003. This amendment is deemed to fully respond to all objections and rejections of the Examiner. Thus, claims 1-20, being all pending claims, are now expected to be in condition for allowance. Entry of this amendment and reconsideration to that end is respectfully requested.

The Examiner has objected to Fig. 1. Applicants have herewith submitted an amended Fig. 1 in response to the Examiner's objection. Additional elements have been named. No new matter has been added.

Claims 6, 11-13, and 16-17 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,201,536, issued to Hendricks et al. (hereinafter referred to "Hendricks"). In response thereto, claims 6, 11, 16-17 and 19-20 have been herein amended to more explicitly show that with Applicants' invention, a plurality of separate streams proceed from the same spooled copy of a given video program.

This is readily distinguishable from Henricks which can only provide one stream from a single spooled video program copy. As admitted by the Examiner:

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> Once the timer is expired and additional requests for
> the same program is (sic) received, <u>the additional</u>
> <u>requests are handled like an initial request</u> (new
> request of the same program <u>with different stream</u>;

In other words, Hendricks can only provide one stream associated with a given spooling process and must re-spool the video program from each succeeding request received after the timer expires in order to provide an additional stream.

This difference has a substantial impact upon efficiency. With Applicants' system, many streams of a given video program can be streamed at different times to different users without the need to re-spool by accessing and transferring the program from long term storage, reformatting the program for streaming (e.g., converting to MPEG II), adding specialized video information (e.g., advertising overlays, informational headers and footers, etc.), and storing the reformatted video program in streaming memory. As the number of requesters increases for a given program, the savings from Applicants' approach increases. It is theoretically possible, that any given program need only be spooled once, assuming a sufficiently continuous sequence of spaced apart requests for the same video program.

The rejection of claims 6, 11-13, and 16-17, as amended and all claims depending therefrom, is respectfully traversed for the reasons provided above.

The Examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of U.S. Patent No. 4,636,942, issued to Chen et al (hereinafter referred to as "Chen"). This ground of rejection is respectfully traversed.

The Examiner has previously rejected claim 1 as anticipated by Hendricks. Applicants have traversed this rejection, because though Hendricks has two different processors (i.e., "network manager" 214 and "file server" 215), it utilizes a single processor (i.e., "file server" 215) to both spool and stream the video data. Applicant has previously explained the reasons why its approach of having a first processor spool the video data and having a second stream the video data is more efficient and architecturally superior.

Thus, it is most surprising that the Examiner now states:

Hendricks does not clearly discloses "A second processor" responsively coupled to said video server memory....

As the Examiner is well aware, Hendricks does show Network Manager 214 coupled to File Server 215 (see Fig. 1, for example). The issue is that in Hendricks, file server 215 both spools the video data and streams the video data.

Notwithstanding the Examiner's awareness of this distinction, he has now cited Chen alleging:

Chen discloses a multiprocessor system wherein each processor configures to perform related task (sic)

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independently (Col.2, lines (sic) 63-Col.3, lines (sic) 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks' file server 215 with a plurality (sic) processors, as taught by Chen, so each processor could be configured to operate independently whereby independent tasks of different jobs may be performed, thereby avoids the problems of underutilization and provide a higher system throughput.

This statement is incorrect as a matter of law. If one were somehow motivated to combine Chen with Hendricks, one would employ the combined teachings to implement the multiple processor architecture taught by Hendricks rather than the multiple processor architecture only taught and claimed by Applicants. The rejection of claim 1, and all claims depending therefrom, is respectfully traversed.

The rejections of 2-5, 7-10, 14-15, and 18-20 are respectfully traversed as based upon separately patentable architectural innovations associated with the claims from which they depend.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-20, being the only pending claims.

Respectfully submitted,

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By their attorney,

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